

**Court of Appeals, Division One**  
**Industrial Commission**

**1 CA-IC 23-0017**

**ATLIS/WESCO v ZILKA**

**Appellate Case Information**

Case Filed: 29-Aug-2023

Case Closed:

**Dept/Composition**

**Side 1. ATLIS MOTOR VEHICLES,**

Petitioner Employer,

**WESCO INSURANCE CO,**

Petitioner Carrier.

Petitioner

(Litigant Group) ATLIS MOTOR VEHICLES/WESCO INSURANCE CO

- Atlis Motor Vehicles, Petitioner Employer
- Wesco Insurance Company, Petitioner Insurance Carrier

**Attorneys for: Petitioner Employer/Carrier**

Jerry T Collen, Esq. (AZ Bar No. 10581)  
Kelley M Jancaitis, Esq. (AZ Bar No. 25555)

**Side 2. THE INDUSTRIAL COMMISSION OF ARIZONA,**

Respondent,

**VINCENT ZILKA,**

Respondent Employee., Respondent

(Litigant Group) ICA

- Industrial Commission of Arizona

**Attorneys for: Respondent ICA**

Afshan Peimani, Esq. (AZ Bar No. 26156)

(Litigant Group) VINCENT ZILKA

- Vincent Zilka, Respondent Employee

**Attorneys for: Respondent Employee**

Nathan Zollinger, Esq. (AZ Bar No. 35582)

**CASE STATUS**

Sep 9, 2024.....**Decision Rendered**

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
ICA 20222060013					
↳ INSCA 3443416-1			Comments: (none)		

**2 OPEN DUE DATES**

**Motion for Reconsideration due**

**Due By:** Tuesday, September 24, 2024

Re: ORDERED: dismissing this special action and quashing the writ of review. Steven C Lawrence ProTem  
Judge - Author

**Petition for Review to ASC due**

**Due By:** Wednesday, October 9, 2024

Re: ORDERED: dismissing this special action and quashing the writ of review. Steven C Lawrence ProTem  
Judge - Author

**CASE DECISION**

**09-Sep-2024 ORDER**

ORDERED: dismissing this special action and quashing the writ of review.

Filed: **09-Sep-2024**

Mandate:

Decision Disposition

**Dismissed**

Steven Lawrence.....Author

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**21 PROCEEDING ENTRIES**

1. 29-Aug-2023 FILED: Petition for Special Action - Industrial Commission; Certificate of Service (Petitioner)
2. 31-Aug-2023 FILED: Writ of Review  
FILED: Certificate of Mailing re: Writ of Review
3. 5-Sep-2023 RECEIPT No.: 2023-00849 ; \$280.00, Authorization: #48029294518, Applied to: ATLIS MOTOR VEHICLES/WESCO INSURANCE CO - Class A Filing Fee (\$280.00) Paid for: Broening Oberg Woods & Wilson PC - By nCourt LLC
4. 8-Sep-2023 FILED: Notice of Appearance; Certificate of Service (Respondent Employee)
5. 8-Sep-2023 FILED: e-Record on Appeal:  
ALJ Hearing File (1 volume)  
Claims File (1 volume)
6. 8-Sep-2023 FILED: Notice of Appearance; Certificate of Service: Notice of Appearance (Respondent ICA)
7. 13-Sep-2023 RECEIPT No.: 2023-00877 ; \$140.00, Authorization: # 56004362607, Applied to: VINCENT ZILKA - Class B Filing Fee (\$140.00) Paid for: Matt Fendon Law Group - By nCourt, LLC
8. 10-Oct-2023 FILED: Unopposed Motion for Procedural Order to Extend Time to File Opening Brief (First Request); Certificate of Service (Petitioner)
9. 12-Oct-2023 ORDERED: Unopposed Motion for Procedural Order to Extend Time to File Opening Brief (First Request) (Petitioner) = GRANTED. Due date EXTENDED from Monday, 10-16-2023 to Friday, 12-15-2023. Melina Brill ProTem Judge - Author
10. 13-Dec-2023 FILED: Unopposed Motion for Procedural Order to Stay Appeal; Certificate of Service (Petitioner)
11. 13-Dec-2023 ORDERED: Unopposed Motion for Procedural Order to Stay Appeal (Petitioner) = GRANTED. Staying this special action and vacating the 12/15/2023 due date for the opening brief. Upon receipt of a stipulation or notice of consent to dismiss, the court will dismiss this special action. FURTHER ORDERED: Directing petitioners to file a status report by 02/12/2024, if a motion to dismiss is not filed before that date. Barbara Vidal Vaught ProTem Judge - Author
12. 8-Feb-2024 FILED: Motion to Continue Stay; Certificate of Service (Petitioner)
13. 9-Feb-2024 ORDERED: Motion to Continue Stay (Petitioner) = GRANTED/continuing the stay of this appeal until 3/11/24. FURTHER ORDERED: Stay will be lifted automatically on 3/11/24 unless before that date the parties file a motion to dismiss the special action. Barbara Vidal Vaught ProTem Judge - Author
14. 11-Mar-2024 FILED: Motion to Continue Stay; Certificate of Service (Petitioner)
15. 11-Mar-2024 ORDERED: Motion to Continue Stay (Petitioner) = continuing the stay of this special action until 04/10/2024. FURTHER ORDERED: That the stay will be lifted automatically on 04/11/2024 unless before that date the parties file a motion to dismiss the special action. Barbara Vidal Vaught ProTem Judge - Author
16. 11-Apr-2024 FILED: Motion to Continue Stay; Certificate of Service (Petitioner)
17. 12-Apr-2024 ORDERED: Response to the motion (to continue stay) must be filed by 4/25/24. Barbara Vidal Vaught ProTem Judge - Author
18. 29-Apr-2024 ORDERED: Motion to Continue Stay (Petitioner) = GRANTED and continuing the stay until 5/30/24. FURTHER ORDERED: the stay will be lifted automatically on 5/31/24 unless before that date the parties file a motion to dismiss the special action. Barbara Vidal Vaught ProTem Judge - Author
19. 30-Apr-2024 FILED: Motion to Revest Jurisdiction with the Industrial Commission; Certificate of Service (Petitioner)
20. 30-Apr-2024 ORDERED: Motion to Revest Jurisdiction with the Industrial Commission (Petitioner) = GRANTED and continuing the stay of this special action until 7/29/24 and returning jurisdiction to the ICA to allow it to consider the parties' settlement agreement. FURTHER ORDERED: directing petitioners to file a motion to dismiss this special action if the ICA approves the settlement. FURTHER ORDERED: if the ICA does not approve the settlement by 7/29/24 the stay will be lifted automatically on 7/30/24 and the opening brief will be due by 8/28/24. Barbara Vidal Vaught ProTem Judge - Author
21. 9-Sep-2024 ORDERED: dismissing this special action and quashing the writ of review. Steven C Lawrence ProTem Judge - Author